

TOWN OF HERNDON, VIRGINIA

ORDINANCE

JUNE 10, 2014

Ordinance- Amending the Zoning Ordinance Article V, Development Standards, to update and relax general parking provisions; and to clarify the quality of estate or ownership of land for parking that the Town must provide and the point at which the Town must provide such land for parking, and to make clarifying changes relative to the Downtown Public Shared Parking Program; ZOTA # 13-04.

In adopting this ordinance, the Town Council has considered the factors set out in § 15.2-2284, Code of Virginia.

BE IT ORDAINED by the Council for the Town of Herndon that:

1. Chapter 78, Zoning. Zoning Ordinance (2007), Herndon Town Code (2000), as amended is amended by the revision of Article V, Development Standard, as follows:

Chapter 78

ZONING

Article V. Development Standards.

Sec. 78-500.1. Applicability.

To relieve traffic congestion in the streets, to minimize any detrimental effects of off-street parking areas on adjacent properties, to provide adequate parking to support the uses served, to ensure proper loading configuration and access, and to ensure the proper and uniform development of parking areas throughout the town, off-street parking and loading spaces for each use shall be provided in accordance with the standards established in this section. The off-street parking and loading standards of this section shall apply to development in every zoning district unless otherwise stated within this Chapter.

- (2) *Expansions and alterations.*

b. For structures and uses that are nonconforming, see Article VI, Nonconformities.

- (3) *Change of use.* Off-street parking and loading shall be provided for any change of use or manner of operation that would, based on the minimum standards established in this section, result in a requirement for more parking or loading spaces than the existing use. When a proposed use requires more parking spaces than the use it is replacing, the owner, owner's agent, or condominium association shall provide the zoning administrator with a parking study providing a summary of all existing uses and their parking requirements, any vacant square footage and its anticipated parking requirements, and the proposed use and parking requirements and the number of conforming parking spaces.

Sec. 78-500.3. Minimum off-street parking standards.

(a) *Minimum number of spaces required.* Unless otherwise expressly stated in this Chapter, off-street parking spaces shall be provided in accordance with Table 78-500.3(a), Minimum Off-street Parking Standards, below:

TABLE 78-500.3(a): MINIMUM OFF-STREET PARKING

<i>Use Category</i>	<i>Use Type</i>	<i>Required Number of Spaces</i>
Residential	Single-family detached dwelling	2 spaces per dwelling with frontage on a public street 3 spaces per dwelling with frontage on a private street
	Duplex and Townhouse dwellings	2.33 per dwelling
	Multi-family dwelling	1.5 per du for each 1 bedroom du, 2 spaces for each unit with 2 or more bedrooms, plus 0.25 per du for recreational vehicles.
	Housing for the elderly	1.5 per dwelling unit, plus .25 per dwelling unit for visitors.
	Assisted living for the elderly and persons with disabilities and convalescent homes for long and short-term care	1 per four beds, plus one space for each two employees, plus one space for each doctor assigned to the facility per shift.
	Group home	1 per four beds, plus one space for each two employees.
	Bed and breakfast establishment	1 per guestroom, in addition to the dwelling's required parking spaces.

***	***	***
Institutional and Community Services Uses	Cemetery	See section 78-500.3(b), Uses with variable parking demand characteristics.
***	***	***
Eating Establishments	Restaurant	1 per four seats, plus 1 per each two employees on duty during peak shift.
Personal Services and Retail Sales	Animal hospital, animal shelter, kennel, pet day care, veterinary clinic and similar uses.	1 per 400 square feet of floor area
***	***	***
	Health care facility including medical offices	1 per 300 square feet of gross floor area.
***	***	***
Lodging Businesses	Conference center	1 per guestroom
	Hotel, motel or inn	1 per guestroom
***	***	***

- (e) *Accessible parking spaces for persons with disabilities.* When provided as a required accessibility improvement, accessible off-street parking spaces and related access aisles and accessible routes shall be in accordance with the provisions of the Virginia Uniform Statewide Building Code and the Town of Herndon Public Facilities Manual. Additional information concerning the number of required accessible parking spaces for persons with disabilities as well as required signage should be obtained from the Office of the Town of Herndon Building Official.

- (g) *Parking in residential districts.*

- (4) Recreational vehicles owned or rented by occupants of the property may be parked on private property in residential districts in accordance with the following requirements and shall not be parked within required parking spaces:

- a. For single-family detached and duplex dwellings, recreational vehicles shall be parked on a paved surface behind the front setback line of the principal structure and shall not exceed two recreational vehicles per dwelling.
- b. For townhouse dwellings, recreational vehicles may be parked in community designated parking areas provided that the parking area was designated for recreational vehicles and approved on a site plan. The total number of recreational vehicles parked in the designated parking area at any one time may not exceed one per five dwellings. The designated parking area shall be screened from view of the public right-of-way.
- c. For multi-family dwellings, recreational vehicles may be parked in designated parking areas provided that the parking area is no closer than 200 feet to any public right-of-way, and the use of the parking area for these purposes was shown on an approved site plan or was otherwise approved by the zoning administrator, in writing. The designated parking area shall be screened from view of the public right-of-way. The total number of recreational vehicles parked in the designated parking area at any one time may not exceed one per five dwellings.

(h) *Public shared parking.*

- (1) The provisions of this section apply to land designated planned development downtown (PD-D), planned development traditional downtown (PD-TD) and land zoned central commercial district (CC) in sectors 1 and 2 of the Herndon Downtown, as described in the Herndon 2030 Comprehensive Plan, adopted August 12, 2008 as amended (sectors 1 and 2), where the development applicant has voluntarily respectively proffered or chosen participation in the public shared parking program. In the absence of such a proffer or choice, the other parking requirements set out in this section apply to the development.

- (4) The town council, by ordinance, may prospectively adjust the capital cost and the yearly cost for operation, maintenance and administration to reflect the actual cost of these elements, as determined by certification of the town manager. The adjustment may not occur more than once every calendar year.
- (5) The following standards shall apply to public shared parking.

- c. The town shall be responsible for providing by lease, license, or fee ownership of the land, real estate, or other facilities within sectors 1 and 2 for public shared parking pursuant to this section. The town shall provide such land, real estate, or other facilities upon the physical occupancy of such building or structure, to which such parking pertains, as certified in writing by the zoning administrator and filed in the office of the town clerk. The town council shall declare by resolution public land, real estate, or other facilities to be used for public shared parking. The town council by resolution may amend the declaration; may substitute new land, real estate, or other facilities for land, real estate or other facilities formerly so declared; or may release land, real estate, or other facilities from such a declaration. The gross number of spaces designated by the town and available as set out above as public shared parking shall be equivalent to or greater than the gross number of spaces allocated through development approval for participation in the public shared parking program.

(i) *Additional off-street parking standards.*

- (2) For any residential use a maximum of three tandem (stacked) spaces, inclusive of garage parking, shall be permitted on a per dwelling unit basis to meet the required parking in accordance with the following standards:
 - a. Vehicles using any stacked parking spaces shall be under the control and use of residents of the same dwelling unit.

- (12) All parking areas, other than spaces required on individual lots for single-family detached or single-family attached dwellings, and attached parking garages, shall be separated at least ten feet from buildings to allow room for sidewalks, landscaping, and other plantings between the building and the parking area. This separation may be eliminated in the rear of buildings in areas designed for unloading and loading of materials.

(j) *Dimensional standards for parking spaces and aisles.* Notwithstanding similar provisions in the Herndon Public Facilities Manual, the minimum dimensions for standard car parking spaces and parking lot aisles shall be provided as shown in Table 78-500.3(j), Dimensional Standards for Parking Spaces and Aisles; below:

TABLE 78-500.3(j): DIMENSIONAL STANDARDS FOR PARKING SPACES AND AISLES

Parking Angle	Stall Width (ft)	Depth of Stalls (ft) Perpendicular to Aisle	One-Way Aisle	Two-Way Aisle (ft)*
45°	8.5	19.0	15.5	18.0
60°	8.5	20.0	17.0	19.0
90°	8.5	18.0**	23.0	23.0

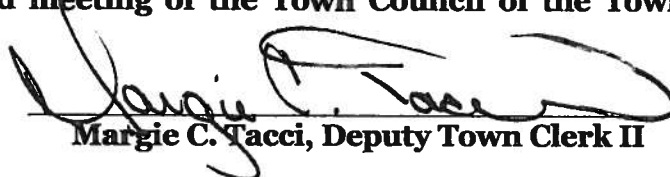
*Where required, fire lanes shall comply with the Virginia Uniform Statewide Fire Prevention Code as amended by the Fairfax County Code as found in the Town of Herndon adopted Public Facilities Manual.

**This dimension may be reduced by up to 1.5 feet (0.45m) where the zoning administrator determines that adequate "head-in" overhang exists exclusive of required planting or screening requirements, and sidewalks.

Parking structures may be subject to dimensional adjustments based on utilization, but in no case shall the standard space width be less than eight and one-half feet. Reduction in design standards shall be subject to approval by the approving authority.

2. This ordinance shall be effective on and after the date of its adoption and (as may be necessary and applicable) shall apply retroactively to developments approved with public shared parking that, as of the date of the adoption of this ordinance, have not been physically occupied, as such occupancy is evidenced by certification by the zoning administrator and filed in the office of the town clerk.

This is certified to be a true and accurate copy of Ordinance 14-O-15 adopted at a legally convened meeting of the Town Council of the Town of Herndon on June 10, 2014.


Margie C. Tacci, Deputy Town Clerk II